HON'BLE SRI JUSTICE D.S.R.VARMA
AND
HON'BLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO. 23862 OF 2006

Between:

Sri. D. Maheswara Reddy S/o D. Thippa Reddy, Thalupula, Ananthapur District.

…Petitioner

AND

1. The Station House Officer, Thalupula Police Station, Ananthapur District and one another.

….Respondents

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HON'BLE SRI JUSTICE D.S.R.VARMA
AND
HON'BLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.23862 OF 2006

ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R.VARMA)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of the 'Telegram', dated 13.11.2006, addressed to the Hon'ble the Chief Justice of Andhra Pradesh, by one Sri D. Maheswara Reddy S/o Thippa Reddy, Thalupula, Anantapur district, alleging that the father of the petitioner viz., Sri D. Thippa Reddy was illegally detained by the Police of the Thalupula Police Station, Ananthapur District, since three days and apprehending danger to his life.

3. On notice being served, the Sub-Inspector of Police, Talupula Police Station, Ananthapur District, filed a counter-affidavit, *inter alia*, stating that the petitioner by name Sri D. Maheswara Reddy, who is the son of alleged detenu i.e., D. Thippa Redy are required in Crime No.42 of 2006 of Talupula Police Station, Anantapur District, for the offences punishable under Sections 384 and 506 IPC. It is further informed to this Court that when both the accused, including the petitioner, surrendered themselves before the Magistrate, they were remand ed to judicial custody on 15.11.2006 and subsequently they were released on bail on 17.11.2006.

4. Upon brief investigation, from the material available to this Court, it is obvious that on 12.11.2006 a complaint was made not only against the alleged detenu, but also against the petitioner and,

on 13.11.2006, the petitioner, who is accused No.2 in Crime No.42 of 2006 of Talupula Police Station, made this compliant to this Court.

5. From the above, it is obvious that knowing fully well that a criminal complaint has been lodged against the petitioner and his father, which is pending, the petitioner has made this complaint to this Court.

6. Therefore, we want to make it clear that this Court shall not be used as a 'plot-form' for such misleading complaints with ulterior motives. Further, we are of the strong view that this kind of attitude shall be deprecated by all means. The valuable time of the Court as well as the police authority is being put to loss because of such false complaints. Hence, suffice it to dismiss the present writ petition by imposing costs of Rs.2,000/- (Rupees Two Thousand Only) on the petitioner.

7. Accordingly, the Writ Petition is dismissed by imposing costs of Rs.2,000/- (Rupees Two Thousand Only) on the complainant. No order as to costs.

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D.S.R.VARMA, J

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P. SWAROOP REDDY, J

Dated: 27.11.2006
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